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BEFORE THE  
FEDERAL ELECTION COMMISSION  
2016 SEP 14 AM 9:58

American Democracy Legal Fund  
455 Massachusetts Avenue NW  
Washington, DC 20001

OFFICE OF GENERAL  
COUNSEL

Complainant,

v.

Mr. Donald J. Trump  
725 Fifth Avenue  
New York, NY 10022

Donald J. Trump for President, Inc. and Timothy Jost, Treasurer  
725 Fifth Avenue  
New York, NY 10022

Respondents.

MUR # 7098-Suppl.

**SUPPLEMENTAL COMPLAINT**

Complainant files this Supplemental Complaint under 52 U.S.C. § 30109(a)(1) against Mr. Donald J. Trump and his principal campaign committee, Donald J. Trump for President, and its treasurer, Timothy Jost, in his official capacity (collectively, "Respondents") for violating the Federal Election Campaign Act of 1971, as amended ("the Act"), as described below. We file this complaint to supplement and highlight the allegations made in the complaint we filed against Respondents on June 30, 2016 ("the June Complaint") — principally that respondents repeatedly violated the Act by knowingly soliciting campaign contributions from foreign nationals. We urge the Commission to promptly investigate these violations — and given Respondents' repeated and flagrant violations after being put on notice that their conduct was illegal, the Commission should find that violations subsequent to the filing of Complainant's first Complaint are knowing and willful.

**A. FACTS**

Recent news reports provide additional support for the claim made in the June Complaint: that the Respondents have violated the Act by knowingly soliciting campaign contributions from foreign nationals.<sup>1</sup> The June Complaint, along with additional complaints filed by other parties alleging the same violations<sup>2</sup>, put Respondents on actual notice that their campaign solicitation e-mail distribution list included foreign nationals. Notwithstanding this notice, Respondents knowingly and willfully continued to send e-mails soliciting campaign contributions from foreign nationals as recently as July 12.

The June Complaint alleged that Respondents sent numerous solicitation e-mails to foreign parliamentarians. Scottish members of Parliament ("MPs") reported that the Respondents sent at least four solicitation e-mails to their official public accounts.<sup>3</sup> British MPs also spoke publicly about their receipt of solicitation e-mails from the Trump campaign.<sup>4</sup> Members of the Icelandic parliament on both sides of the political spectrum reported receiving solicitation e-mails from Mr. Trump's campaign.<sup>5</sup> Australian MP Tim Watts said that he had "received several fundraising e-mails from the Trump campaign."<sup>6</sup> Finally, Danish MP Ida Auken tweeted the fundraising e-mail she received from the campaign,<sup>7</sup> as did Finnish MP Anders Adlercreutz.<sup>8</sup>

<sup>1</sup> See Jonathan Swan and Harper Neidig, *Trump campaign solicits illegal foreign donations despite warnings*, THE HILL (July 16, 2016), <http://thehill.com/homenews/campaign/288031-trump-campaign-solicits-illegal-foreign-donations-despite-warnings>

<sup>2</sup> See, e.g., <http://www.democracy21.org/wp-content/uploads/2016/06/FEC-Complaint-Against-Trump.pdf>

<sup>3</sup> See Adam Weinstein, *Why is Team Trump asking liberal Scottish politicians for donations?*, FUSION (June 27, 2016), <http://fusion.net/story/319256/trump-emails-scotland-campaign-finance/>.

<sup>4</sup> See Josh May, *MPs 'bombed' by spam emails from Donald Trump*, POLITICS HOME (June 28, 2016), <https://www.politicshome.com/news/uk/politics/news/76692/mps-bombed-spam-emails-donald-trump>.

<sup>5</sup> See Paul Fontaine, *Donald Trump Asking Icelandic MPs For Donations*, THE REYKJAVIK GRAPEVINE (June 22, 2016), <http://grapevine.is/news/2016/06/22/donald-trump-asking-icelandic-mps-for-donations>; see also Birgitta Jónsdóttir, FACEBOOK (June 22, 2016),

<https://www.facebook.com/photo.php?fbid=10154291565896514&set=a.70100401513.98229.701921513&type=3>

<sup>6</sup> <http://talkingpointsmemo.com/livewire/trump-fundraising-emails-foreign-members-parliament>

<sup>7</sup> Ida Auken (@IdaAuken), TWITTER (June 29, 2016, 2:28 AM), <https://twitter.com/IdaAuken/status/748085661375291392>.

<sup>8</sup> Anders Adlercreutz (@adleande), TWITTER (June 29, 2016, 8:48 AM), <https://twitter.com/adleande/status/748181462688628736>.

Despite notice of the June Complaint along with public admonishment for the previous solicitation e-mails they sent to foreign nationals, Respondents have persisted in e-mailing foreign parliamentarians to solicit campaign contributions. MPs from the United Kingdom and Australia reported receiving solicitation e-mails from the Trump campaign as recently as July 12.<sup>9</sup> Terri Butler, an Australian MP, reported receiving an e-mail on July 12 from the campaign asking her to make a "generous contribution."<sup>10</sup> Australian MP Gai Brodtmann also received a solicitation e-mail which stated, "Every dollar that comes through the doors will be yet another nail in the coffin for Crooked Hillary's campaign. . . ."<sup>11</sup> Similarly, Bob Blackman, a U.K. MP, indicated that he also received a solicitation e-mail from the campaign on July 12, as did U.K. MP Kristy Blackman.<sup>12</sup> U.K. MP Peter Bottomley shared his solicitation e-mail from the Trump campaign which stated, "[c]ontribute \$3 now to be automatically entered to win a VIP trip to the Republican National Convention."<sup>13</sup> These examples illustrate the blatant fundraising purpose of these e-mails Respondents sent to foreign nationals, even after being warned that their conduct was a clear violation of federal election law.

## **B. LEGAL ARGUMENTS**

By knowingly soliciting campaign contributions from foreign nationals despite notice of their alleged previous violations, Respondents have willfully violated 52 U.S.C. § 30121(b).

The Act prohibits any person from knowingly soliciting, accepting, or receiving a contribution or donation from a foreign national.<sup>14</sup> A "foreign national" is defined as an "individual who is not a citizen of the United States and who is not lawfully admitted for

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<sup>9</sup> See Swan & Neidig, *supra* note 1.

<sup>10</sup> *Id.*

<sup>11</sup> Sara Sirota, *Trump Brazenly Defies law Forbidding Campaigns From Asking Foreigners For Donations, WHO.WHAT.WHY.* (July 15, 2016), <http://whowhatwhy.org/2016/07/15/trump-brazenly-defies-law-forbidding-campaigns-asking-foreigners-donations/>.

<sup>12</sup> See *id.*

<sup>13</sup> *Id.*

<sup>14</sup> 52 U.S.C. § 30121(b).

permanent residence.”<sup>15</sup> A person “knowingly” solicits funds from a foreign national when that individual has “actual knowledge that the source of the funds solicited [] is a foreign national.”<sup>16</sup>

Here, Respondents continue to solicit contributions from dozens of foreign nationals despite actual knowledge that their e-mail distribution list included foreign nationals. Respondents had actual notice that there were foreign nationals on their e-mail solicitation list after the June Complaint was filed on June 30. Furthermore, these allegations were widely publicized.<sup>17</sup> Yet, numerous foreign MPs have publicly shared or discussed the solicitation e-mails they have received from Respondents well after the June Complaint was filed.<sup>18</sup>

Respondents continue to send solicitation e-mails to foreign parliamentarians, expressly requesting campaign contributions. Accordingly, Respondents have knowingly and willfully violated the Act by soliciting contributions from dozens of foreign nationals.

### C. REQUESTED ACTION

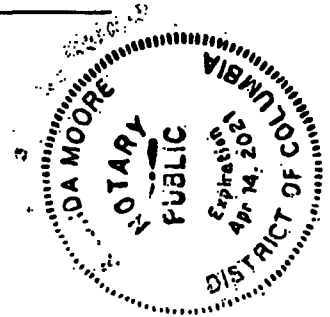
We respectfully request that the Commission investigate these violations in addition to the violations alleged in our June Complaint, and that Respondents be enjoined from further violations and fined the maximum amount permitted by law

Sincerely,



SUBSCRIBED AND SWORN to before me this 9<sup>th</sup> day of August, 2016.

  
Notary Public



My Commission Expires

April 14 2021

<sup>15</sup> 11 C.F.R. § 110.20(a)(3)(ii).

<sup>16</sup> *Id.* at § 110.20 (a)(4)(i)-(iii).

<sup>17</sup> See, e.g., Tal Kopan, *Complaint filed about Donald Trump fundraising e-mails*, CNN (June 30, 2016), <http://www.cnn.com/2016/06/29/politics/donald-trump-fundraising-foreign-emails/>.

<sup>18</sup> See Sirota, *supra* note 11.